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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,605	10/31/2003	John P. Franz	200308604-1	9858

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EXAMINER

EDWARDS, ANTHONY Q

ART UNIT PAPER NUMBER

2835

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/698,605	Applicant(s) FRANZ ET AL.	
	Examiner Anthony Q. Edwards	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26 is/are allowed.
- 6) ☒ Claim(s) 1-5, 9 and 12-25 is/are rejected.
- 7) ☒ Claim(s) 6, 8, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 8, 9, 12-19 and 21-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. US2004/00129221 Hidaka et al. ("Hidaka" hereinafter). Referring to claims 1 and 14, Hidaka discloses a locking mechanism (see Figs. 4 and 5) for coupling and uncoupling a removable component (400) coupleable to and from a computer device, comprising a first member (402/403, i.e., combined pivoting unit) selectively positionable between secured and unsecured configurations of the removable component with respect to the computer device (see Figs 9-10), and a second member or engaging member (501) positionable between first and second configurations (see Figs. 18-20), wherein the first configuration extends the second member (501) through the first member (402/403), i.e., at lock part receiving recess (426) of element (403), in the secured configuration to secure the first member.

Referring to claims 2 and 15, Hidaka discloses a locking mechanism as claimed, comprising a pivotable member (503) configured to actuate the second member (501) selectively between the first and second configurations, and wherein the pivotal movement of the pivotable

member actuates the engaging member along a longitudinal axis of the engaging member (see Figs. 18-20).

Referring to claims 3 and 22, Hidaka discloses a locking mechanism as claimed, wherein the removable component is a hot-pluggable device. See Fig. 17, which shows components 400 individually removable for “hot-pluggable” usage.

Referring to claim 4, Hidaka discloses a locking mechanism as claimed, wherein the first member (402/403) comprises a lever (402) pivotably coupled to the removable component. See paragraph 0055.

Referring to claim 5, Hidaka discloses a locking mechanism as claimed, wherein the pivotable member (503) is a knob (520) coupled to the removable component (i.e., via locking assembly 500). See Figs. 4 and 18.

Referring to claim 9, Hidaka discloses a locking mechanism (see Figs. 4 and 5) for coupling and uncoupling a removable component (400) coupleable to and from a computer device (300), comprising a leveraging member (402/403) configured to at least partially disengage a removable component with respect to a computer device, an engaging member (501) selectively positionable in first and second positions such that the engaging member at least partially engages with the leveraging member in the first position, i.e., at a lock part receiving recess (426) of element (403), and a pivotable member (503) coupled to the engaging member such that pivotal movement of the pivotable member actuates the engaging member along a longitudinal axis of the engaging member. See Fig. 18 and paragraphs 0098-0106.

Referring to claim 12, Hidaka discloses a locking mechanism as claimed, wherein the pivotable member (503) and the leveraging member (402/403) are coupled to the removable component (400), i.e., via the locking assembly 500 (see Figs. 4 and 18).

Referring to claim 13, Hidaka discloses a locking mechanism as claimed, wherein the engaging member (501) in the first position extends through the leveraging member (402/403), i.e., at a lock part receiving recess (426) of element (403). See Figs. 18-20.

Referring to claims 16-19, Hidaka discloses a locking mechanism as claimed. See paragraph 0004.

Referring to claim 21, Hidaka discloses a locking mechanism as claimed, wherein at least one of the first member (402) and the engaging member is coupled to the removable component. See Fig. 7.

Referring to claims 23-25, the method steps are necessitated by the device disclosed in Hidaka.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidaka in view of U.S. Patent No. 6,728,099 to Tsang et al. Hidaka discloses the device as claimed, including a cooling device (311). Hidaka does not disclose the cooling device as removable component. Tsang et al. disclose a system having removable cooling components (see Figs. 3 and 4). It

would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Hidaka to include selectively removable cooling devices, as taught by Tsang et al., since said cooling units are easier to repair and/or replace as needed.

### ***Response to Arguments***

Applicant's arguments filed July 11, 2005, regarding claims 1, 9, 14 and corresponding method claim 23 have been fully considered but they are not persuasive. As indicated in the above rejection, the locking mechanism of Hidaka does in fact teach a second member (501) extending through a first member (402/403), since the second member passes through the lock part-receiving recess (426) of element (403) of the first member. Applicant indicated that the "restriction lever" 501 is "located behind" an operation button 407 to prevent the button's inward actuation. While the Examiner agrees with Applicants understanding of the Hidaka "operation button," this does not preclude the "restriction lever" (501) serving as a second member that extends through the first member (402/403) at the recess (426).

Applicant's argument with respect to claim 20 is moot in view of the Examiner's response to the arguments relating to claim 14.

Applicant's arguments, however, with respect to claims 6, 8, 10 and 11 have been fully considered and are persuasive. The rejection of claims 6, 8 and 10 has been withdrawn.

### ***Allowable Subject Matter***

Claims 6, 8, 10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: referring to claims 6 and 10, upon reconsideration, the specific

limitation of the locking mechanism including a pivotable member configured to transition the removable component selectively between an operational configuration and a dormant configuration, in combination with the remaining elements or steps, is not disclosed or taught by the prior art references. Claims 8 and 11, depend from claims 6 and 10, respectively, and are therefore allowable for at the same reasons.

Claim 26 is allowed. The following is an examiner's statement of reasons for allowance: the newly filed claim includes the specific limitations pertaining to the allowable subject matter mentioned above.

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Q. Edwards whose telephone number is 571-272-2042. The examiner can normally be reached on M-F (7:30-3:00) First Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 30, 2005  
aqe

  
**LYNN FEILD**  
**SUPERVISORY PATENT EXAMINER**  
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